

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 ANTONIO J. PATACA  
4 KATRINA BROWNSON  
5 Assistant United States Attorneys  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

6 Attorneys for Plaintiff  
7 United States of America

8

9 IN THE UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 WALTER RENIERY CACERES,

15 Defendant.

16 CASE NO. 1:23-CR-00143-JLT-SKO

17 STIPULATION REGARDING EXCLUDABLE  
18 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
19 ORDER

20 DATE: October 18, 2023

21 TIME: 1:00 p.m.

22 COURT: Hon. Sheila K. Oberto

23

24 STIPULATION

25 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
26 through defendant's counsel of record, hereby stipulate as follows:

27

28 1. By previous order, this matter was set for status on October 18, 2023.

2. By this stipulation, defendant now moves to continue the status conference until January  
17, 2024, and to exclude time between October 18, 2023, and January 17, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case  
includes reports, photographs, videos, audio recordings, criminal history records, etc... All of  
this discovery has been either produced directly to counsel and/or made available for inspection  
and copying.

b) Counsel for defendant was appointed on or about July 19, 2023. As a result,

1 counsel for defendant desires additional time consult with his client, review discovery, conduct  
2 research into potential pretrial motions, engage in pretrial plea negotiations, and otherwise  
3 prepare for trial.

4 c) Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
6 into account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of October 18, 2023 to January 17,  
13 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
15 of the Court's finding that the ends of justice served by taking such action outweigh the best  
16 interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

20 IT IS SO STIPULATED.

21  
22 Dated: October 2, 2023

PHILLIP A. TALBERT  
United States Attorney

23  
24 /s/ ANTONIO J. PATACA  
25 ANTONIO J. PATACA  
26 Assistant United States Attorney  
27  
28

1 Dated: October 2, 2023

/s/ DOUGLAS FOSTER  
2 DOUGLAS FOSTER  
3 Counsel for Defendant  
4 WALTER RENIERY  
5 CACERES

6 **ORDER**

7 IT IS SO ORDERED.

8  
9 DATED: 10/2/2023

*Sheila K. Oberto*

10 THE HONORABLE SHEILA K. OBERTO  
11 UNITED STATES MAGISTRATE JUDGE